

### **Amendments to the Specification**

Please replace the paragraph beginning at page 20, line 18, with the following rewritten paragraph:

-- The osteogenic factor will be incorporated in an amount which is effective to stimulate the formation of bone within the animal recipient. In more preferred compositions incorporating protein osteogenic factors, the osteogenic factor will be incorporated in a weight ratio of about 1:100 to about 1:1000 relative to the overall composition, more preferably about 1:100 to about 1:500. As will be understood, when the osteogenic factor comprises a nucleotide sequence, sufficient amounts of the delivery vehicle (vector) will be incorporated to cause significant transduction of cells, so as to cause the generation of sufficient protein at the site to induce bone formation. The orthopedic devices of the present invention can be used by themselves or in conjunction with one or more known orthopedic devices as deemed medically prudent.

Additionally or in the alternative, the present invention can be used with one or more devices disclosed in co-pending US Patent Application Serial No. 10/689,961 filed on October 21, 2003 and entitled "Apparatus and Method for Providing Dynamizable Translations to a Spinal Construct Orthopedic Implants", Attorney Docket No. 4002-3273, which is hereby incorporated by reference.--